

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael B. Zemel

Appl. No. 10/017568

**Confirmation No. 9941**

Filed: December 12, 2001

For : MATERIALS AND METHODS FOR  
THE TREATMENT OR PREVENTION  
OF OBESITY

Art Unit : 1616

Examiner: Fisher, Abigail.

Atty. Docket No. 31894-192402

Customer No.

26694

PATENT TRADEMARK OFFICE

**TERMINAL DISCLAIMER UNDER 37 CFR 1.321(c)**

Madam:

The University of Tennessee Research Foundation, formerly The University of Tennessee Research Corporation, assignee of the entire right, title and interest in the above-identified application by virtue of an Assignment, recorded for U.S. application No. 10/017568, filed December 14, 2001, at the United States Patent and Trademark Office, at Reel 017371/Frame 00174, on March 27, 2006, and a Corrective Assignment to Correct the Name of the Correspondence Address, recorded at Reel 015856/Frame 0715, on April 1, 2004 hereby disclaims except as provided below the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the earlier of the full statutory term defined in 35 U.S.C. §154 and §156 of U.S. Patent Application 10/066057 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Application 10/066057, this agreement to run with any patent

granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the term defined in 35 U.S.C. §154 in the event that U.S. Patent Application 10/066057, expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321 (a), has all claims canceled by a reexamination certificate, or is otherwise not deemed to provide the rights conveyed by 35 U.S.C. §154 prior to the expiration of its full statutory term, except for the separation of legal title stated above.

The undersigned is the assignee of U.S. Patent Application 10/066057, filed on January 31, 2002, by virtue of an Assignment recorded in the United States Patent and Trademark Office at Reel 012601/ Frame 0916, on April 19, 2002, and a Corrective Assignment to Correct the Name of the Correspondence Address for U.S. Patent Application 10/066057, recorded at Reel 016401/Frame 0725, on October 1, 2004, and a second Corrective Assignment to Correct the Name of the Correspondence Address for parent application No. 10/066,057, recorded at Reel 018818/Frame 0487, on January 29, 2007.

Furthermore, The University of Tennessee Research Foundation, formerly The University of Tennessee Research Corporation, assignee of the entire right, title and interest in the above-identified application by virtue of an Assignment, recorded for parent application No. 10/017568, filed December 14, 2001, at the United States Patent and Trademark Office, at Reel 017371/Frame 00174, on March 27, 2006, and a Corrective Assignment to Correct the Name of the Correspondence Address, recorded at Reel 015856/Frame 0715, on April 1, 2004 hereby disclaims except as provided below the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the earlier

of the full statutory term defined in 35 U.S.C. §154 and §156 of U.S. Patent 6384087 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent 6384087, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the term defined in 35 U.S.C. §154 in the event that U.S. Patent 6384087, expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321 (a), has all claims canceled by a reexamination certificate, or is otherwise not deemed to provide the rights conveyed by 35 U.S.C. §154 prior to the expiration of its full statutory term, except for the separation of legal title stated above.

The undersigned is the assignee of U.S. Patent 6384087, filed September 1, 2000, by virtue of an Assignment recorded in the United States Patent and Trademark Office at Reel 0111171/ Frame 0089, on October 25, 2000, assigned by the University Tennessee Research Corporation who in turn benefited from the assignment by the inventors, recorded at Reel 011281/Frame 0294, on October 30, 2000, and a Corrective Assignment to Correct the Name of the Correspondence Address for U.S. Patent 6384087, recorded at Reel 018797/Frame 0097, on January 24, 2007, and a second Corrective Assignment to Correct the Name of the Correspondence Address for U.S. Patent 6384087, recorded at Reel 018806/Frame 0787, on January 26, 2007.

Done this 6 day of July, 2008 by the undersigned officer of The University of Tennessee Research Foundation, formerly The University of Tennessee Research Corporation, and duly authorized to act for the assignee under the laws of the United States.

By John A. Hopkins  
Name: John A. Hopkins  
Title: Vice President